

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Ezequias DURAN-Melendrez,

Defendant.

} Magistrate Case No.: **'08 MJ 8532**
COMPLAINT FOR VIOLATION OF
21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

COUNT I

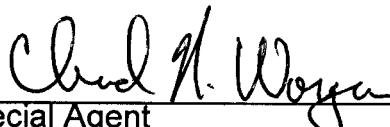
On or about June 12, 2008, within the Southern District of California, defendant Ezequias DURAN-Melendrez did knowingly and intentionally import approximately 1.94 kilograms (4.26 pounds) of methamphetamine a Schedule II Controlled Substance into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

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1 COUNT II
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3 On or about June 12, 2008, within the Southern District of California, defendant
4 Ezequias DURAN-Melendrez did knowingly and intentionally import approximately .20
5 kilograms (.44 pounds) of cocaine a Schedule II Controlled Substance, into the United
6 States from a place outside thereof, in violation of Title 21, United States Code,
7 Sections 952 and 960.

8 The complainant states that this complaint is based on the attached Statement
9 of Facts incorporated herein by reference.
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12 Special Agent
13 Immigration and Customs Enforcement
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15 SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 13TH
16 DAY OF MARCH 2008.
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20 ANTHONY J. BATTAGLIA
21 U. S. MAGISTRATE JUDGE
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UNITED STATES OF AMERICA

3 **v.**
4 **Ezequias DURAN-Melendrez**

5 **STATEMENT OF FACTS**

6 This Statement of Facts is based on the reports, documents,
7 and notes furnished to United States Immigration and Customs
8 Enforcement Special Agent Rafael Silva.
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10 On June 12, 2008, at approximately 1025 hours, Ezequias
11 DURAN-Melendrez entered the United States from the Republic of
12 Mexico, by foot, at the Calexico, California West Port of Entry
13 Pedestrian Crossing.

14 Customs and Border Protection Officer (CBPO) Carrillo was
15 assigned pedestrian primary inspectional duties when DURAN
16 approached his lane for inspection. CBPO Carrillo observed
17 DURAN'S hand shaking as he presented his border crossing card.
18 CBPO Carrillo escorted DURAN to the pedestrian secondary office
19 for further inspection.

20 CBPO Lizaola was assigned pedestrian secondary inspectional
21 duties. CBPO Lizaola conducted a pat down of DURAN. CBPO Lizaola
22 discovered numerous packages around DURAN'S waistline and ankles.
23 CBPO Lizaola probed one of the packages and it produced a
24 crystal-like substance that tested positive for methamphetamine.

25 A separate package produced a white powdery substance that
26 tested positive for cocaine. A total of 6 packages were
27 discovered, with a total weight of 1.94 kilograms (4.26 pounds)
28 of methamphetamine and .20 kilograms (.44 pounds) of cocaine.
29

1 DURAN was arrested for violation of Title 21 United States
2 Code 952 and 960, Importation of a Controlled Substance. DURAN
3 was advised of his rights, per Miranda, and agreed to answer
4 questions. DURAN admitted he knew he was smuggling
5 methamphetamine (crystal) into the United States. DURAN stated
6 he knew it was illegal to smuggle methamphetamine into the United
7 States. DURAN stated he was to be paid \$1,600.00 dollars to
8 deliver the methamphetamine to the Los Angeles, California area.
9 DURAN was processed and booked into the Imperial County Jail.

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